

I have had the honor of working closely with JEFF on the Senate Judiciary Committee since I came to the Senate, and I am proud to call him a friend. Those who have watched him day-in and day-out understand his stalwart commitment to the rule of law and his deep and abiding concern for our country.

Of course, we wouldn't be Senators if we didn't sometimes disagree with each other. It is just normal, but Senator SESSIONS has always engaged with seriousness and cordiality and the kind of civility this Chamber and this country could use more of. By the strength of his arguments, he has helped us all to see the weaknesses in our own arguments as he has worked together with his colleagues to try to help us build consensus, which is the only way we get anything done and the way our constitutional system was designed. Only by building consensus can we move our country forward.

We are going to miss Senator SESSIONS in the Senate when he moves on to the executive branch as Attorney General, but it is even more important, at this point in this country's history, to have a champion of the Constitution and the rule of law at the Department of Justice and to help restore the reputation of that Department.

As I said earlier, for years now—during the course of Attorney General Holder's tenure and unfortunately succeeded by Attorney General Lynch—the Department of Justice has twisted the Constitution to further the President's political agenda.

I give just one example. When Congress was performing its legitimate oversight responsibilities into a gun-running operation gone wrong called Fast and Furious, Attorney General Holder was called before the Senate Judiciary Committee, called before our corresponding House committee, and simply defied those committees' lawful and appropriate oversight responsibilities over what the Department of Justice was doing.

To my knowledge, this resulted in his having been the first Attorney General to be held in contempt of Congress—a sitting Attorney General of the United States held in contempt of Congress.

Unfortunately, the Obama administration put politics ahead of our national commitment to the rule of law and too often demonized those who worked to protect us. I have every confidence that Senator SESSIONS, as the Attorney General of the United States, the head of the Department of Justice, and the Trump administration will defend the rule of law and will use his expertise in the Constitution to play an essential role in our President-elect's Cabinet. As a 15-year veteran of the Department, Senator SESSIONS understands better than most what needs to be done to help the Department of Justice refocus its responsibilities and its priorities.

Here is the bottom line. We need people in the highest rungs of our govern-

ment who will ensure our Constitution is preserved, protected, and defended. Senator SESSIONS, as the next Attorney General of the United States, will do just that.

#### GETTING OUR WORK DONE

Mr. CORNYN. Mr. President, while the President-elect is considering additional nominees to fill his Cabinet, we in the Senate—working together with our House colleagues—have our own responsibilities to fulfill before the end of this year.

Most pressing is legislation to fund the government, something that unfortunately has been hindered by our Democratic colleagues slow-walking the appropriations process. Actually, calling it slow-walking is a little too generous. What they did is block the normal appropriations process, where the 12 separate appropriations bills would be voted out of committee—which they were, on a bipartisan basis—but then they would come across the floor of the Senate where amendments would be offered, and we would actually vote on them before sending them to the President to be signed into law.

Instead of this normal process—which is transparent, it is bipartisan, in the best traditions of the Senate—we were denied the opportunity to do that, resulting now in our need to pass a year-end continuing resolution, kicking the funding of the government over to perhaps sometime in the spring. This was strictly as a result of the gamesmanship of our colleagues, many of them blocking the same appropriations bills they voted for, on a bipartisan basis, before the Appropriations Committee itself.

Despite those obstructions, we have actually tried to do some good work. We passed our first bicameral budget since 2009. As I said, the Appropriations Committee voted out all 12 appropriations bills.

Despite the obstructionism we have seen and despite where we find ourselves, I ask all of us to take stock of where we are, given what we saw happen in the historic election of November 8. I think the American people have made very clear they want the government to function and they don't have a lot of tolerance for gamesmanship or partisanship or obstruction, but we cannot move forward with other substantial legislative goals until we address funding for the remainder of this fiscal year. While I am disappointed we find ourselves where we are today—having to pass another short-term continuing resolution until next March or so—this waiting until the last minute is not a good way to do business. I hope next year, with the new administration and with the leadership of Senator MCCONNELL, Speaker RYAN in the House, and with more cooperation from our Democratic colleagues, we can have a regular and open appropriations process, one that will serve the Amer-

ican people much better. It will certainly serve the interests of the Defense Department and other people who need to be able to plan beyond 2 months or 3 months in terms of what they can do with the money Congress is going to appropriate.

Until then, I urge my colleagues on both sides of the aisle to set aside the disputes we have had over the last year and the election itself—which I know some are finding it easier to see the results of the election in the rearview mirror than others, as evidenced by the comments I heard from the Senator from Massachusetts when I came to the floor—but we need to pass a bill that will fund the government and allow us to move forward. I hope we can do that. Then, once we have completed the work for this year, we can come back in the new year with a new administration, a new Congress, and recommit ourselves to doing the people's work and doing it in a consensus-building, bipartisan way that listens to what our constituents are telling us they want, not the siren call of the people who think they know better than they do what is good for them but to listen to the American people and then get about the work of passing legislation which promotes their interests. This is first to assure for the common defense but, secondly, to make sure our economy starts to grow again so people who want to find work or want better paying jobs can find work available so they can provide for their families and pursue their American dream.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows.

DEFENSE SECURITY  
COOPERATION AGENCY,

Arlington, VA, November 28, 2016.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-72, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Poland for defense articles and services estimated to cost \$200 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J. W. RIXEY,  
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-72

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

- (i) Prospective Purchaser: Poland
- (ii) Total Estimated Value:  
Major Defense Equipment\* \$ 110 million  
Other: \$ 90 million  
Total: \$ 200 million
- (iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):  
Seventy (70) AGM-158B Joint Air-to-Surface Standoff Missiles Extended Range (JASSM-ER)

Two (2) AGM-158B Flight Test Vehicles—Live Fire with TIK & FTS

Two (2) AGM-158B Mass Simulant Vehicles  
One (1) AGM-158B Flight Test Vehicle—Captive Carry

Three (3) AGM-158B Separation Test Vehicles

Non-MDE includes:

Two (2) AGM-158B Weapon System Simulators, F-16 operational flight plan upgrade for the Polish F-16C/D, JASSM-ER integration, missile containers, spare and repair parts, support and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support.

(iv) Military Department: Air Force (X7-D-YAD).

(v) Prior Related Cases, if any: PL-D-SAC, PL-D-YAB and amendments.

(vi) Sales Commission, Fee, etc.. Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress: November 28, 2016.

\* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Poland—JASSM-ER with Support

The Government of Poland has requested a possible sale of seventy (70) AGM-158B Joint Air-to-Surface Standoff Missiles Extended Range (JASSM-ER), two (2) AGM-158B Flight Test Vehicles, two (2) AGM-158B Mass Simulant Vehicles, one (1) AGM-158B Flight Test Vehicle—Captive Carry, three (3) AGM-158B Separation Test Vehicles. Also included are two (2) AGM-158B Weapon System Simulators, F-16 operational flight plan upgrade for the Polish F-16C/D, JASSM-ER integration, missile containers, spare and repair parts, support and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering,

technical and logistics support services, and other related elements of logistical and program support. The total estimated program value is \$200 million.

The proposed sale will contribute to the foreign policy and the national security objectives of the United States by helping to improve the security of a NATO ally. Poland continues to be an important force for political stability and economic progress in Central Europe.

The proposed sale will improve Poland's capability to meet current and future threats of enemy air and ground weapons systems. Poland will use the enhanced capability as a deterrent to regional threats and to strengthen its homeland defense. These weapon and capabilities upgrades will allow Poland to strengthen its air-to-ground strike capabilities and increase its contribution to future NATO operations. Poland will have no difficulty absorbing these missiles into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be the Lockheed Martin Corporation of Ft. Worth, Texas. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Poland.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-72

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology

1. The AGM-158B JASSM ER is an extended range low-observable, highly survivable subsonic cruise missile designed to penetrate next generation air defense systems en-route to target. It is designed to kill hard, medium-hardened, soft and area type targets. The extended range over the baseline was obtained by going from a turbo-jet to a turbo-fan engine and by reconfiguring the fuel tanks for added capacity. Classification of the technical data and information on the AGM-158's performance, capabilities, systems, sub-systems, operations, and maintenance will range from UNCLASSIFIED to SECRET.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that Poland can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary to further the US foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal are authorized for release and export to Poland.

REMOVAL OF NOMINATION  
OBJECTION

Mr. WYDEN. Mr. President, now more than ever, we need strong leadership at the FCC to protect consumers from consolidated powers in the tele-

communications industry. Noncontentious issues should be passed and implemented so Americans have access to wireless broadband and voice services in their communities and access to video programming for the blind and visually impaired can be expanded and consumers can be protected from excessive cable and internet costs.

I was given the assurance that Commissioner Rosenworcel is committed to working toward consensus on all items before the Commission this year, including the Mobility Fund that provides support for wireless and voice service in rural America. For that reason, I lift my hold on her nomination.

TRIBUTE TO ALEJANDRO  
MAYORKAS

Mr. CARPER. Mr. President, today I wish to express my profound appreciation and best wishes to my friend, Alejandro Mayorkas, who recently stepped down as the Deputy Secretary of the Department of Homeland Security. During his 7 years of public service at DHS, Ali has been a dedicated and thoughtful leader and was instrumental to the advancement and accomplishments at the Department.

Ali arrived at DHS in 2009 with an already impressive record in public service which included over 20 years of distinguished service in law enforcement. As an assistant U.S. attorney for the Central District of California, he aggressively prosecuted drug traffickers, human smugglers, and violent criminals. As U.S. attorney for the Central District of California, he led the largest Federal judicial office in the United States and was appointed by then Attorney General Janet Reno to serve on her advisory committee on ethics and government. Ali continued his public service as the Director of U.S. Citizenship and Immigration Services, USCIS, where he oversaw a \$3 billion annual budget and led a workforce of 18,000 individuals. To that end, Ali's accomplishments as the USCIS Director included the development of the special parole program which worked to rescue children who tragically lost their parents to the January 2010 earthquake in Haiti. He continued his humanitarian efforts and dedication to help orphan children by creating a program that allowed international adoption of orphans in Guatemala. These stunning achievements have been widely praised by many who have had the honor to work alongside Ali.

In his most recent role as Deputy Secretary of Homeland Security, Ali served as the second-in-command of the third largest Department in the U.S. Government. In this role, Ali ensured that a \$60 billion budget was spent wisely and effectively, while at the same time leading a workforce of nearly 230,000 individuals. Like a true leader, Ali understands the importance of taking care of the Department's employees and recognizes that they are its greatest asset. He worked tirelessly